

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES
PRACTICES, AND PRODUCTS
LIABILITY LITIGATION**

MDL No. 2738 (FLW) (LHG)

This document relates to:

*Carol J. Williams, et al.,
No. 3:19-cv-18778*

Linda H. Hill, No. 3:18-cv-08344

*Bobbie N. Landreth,
No. 3:17-cv-11788*

*Michael Scroggins o/b/o Bertha M.
Walton, No. 3:18-cv-12766*

**DEFENDANTS JOHNSON & JOHNSON AND
JOHNSON & JOHNSON CONSUMER INC.'S
STATEMENT OF MATERIAL FACTS NOT IN DISPUTE IN SUPPORT
OF THEIR OMNIBUS MOTION FOR SUMMARY JUDGMENT**

A. Plaintiff Carol Williams

1. Ms. Williams has been a resident of New York for over fifty years.
(Declaration of Jessica L. Brennan (“Brennan Decl.”), Ex. 1 at 102:9-11; Brennan Decl., Ex. 2 at 5).
2. Ms. Williams was diagnosed with ovarian cancer in January 2007 in New York. (Brennan Decl., Ex. 2 at 5).

3. Ms. Williams and her husband, James Williams, filed their original complaint in the Western District of New York on September 24, 2019. (Brennan Decl., Ex. 4).

B. Plaintiff Linda Hill

4. Ms. Hill has been a resident of Virginia for over fifty years. (Brennan Decl., Ex. 6 at 58:21-59:1).

5. Ms. Hill was diagnosed with ovarian cancer in May 2013. (Brennan Decl., Ex. 9 at 3).

6. Ms. Hill and her husband Rex Hill filed their complaint directly in the MDL on April 26, 2018. (Brennan Decl., Ex. 10).

7. Ms. Hill would have filed it in the Western District of Virginia absent the MDL and requests transfer back to the Western District of Virginia upon completion of pretrial proceedings. (Brennan Decl., Ex. 11 at 4).

C. Plaintiff Bobbie Landreth

8. Ms. Landreth is a resident of Mississippi who allegedly purchased and used JJCI talcum powder products in Mississippi. (Brennan Decl., Ex. 13 at 69:16-19; Brennan Decl., Ex. 14 at 4).

9. Ms. Landreth was diagnosed with ovarian cancer in October 2014. (Brenan Decl, Ex. 15 at 3).

10. Ms. Landreth filed her complaint directly in the MDL on January 21, 2018. (Brennan Decl., Ex. 16).

11. Ms. Hill would have filed it in the Southern District of Mississippi absent the MDL and requests transfer back to the Southern District of Mississippi upon completion of pretrial proceedings. (Brennan Decl., Ex. 14 at 4).

D. Plaintiff Bertha Walton

12. Ms. Walton was a lifelong resident of Louisiana. (Brennan Decl., Ex. 23 at 100:23-101:3).

13. Ms. Walton passed away on August 28, 2019. (Brennan Decl., Ex. 20).

14. Mr. Scroggins testified that Ms. Walton never used Shower to Shower. (Brennan Decl., Ex. 24 at 27:6-8, 36:24-37:9).

15. Mr. Scroggins also testified that he never personally observed Ms. Walton using Johnson & Johnson Baby Powder. (*Id.* at 30:14-17, 31:8-11, 32:16-19, 71:81-25).

16. Mr. Scroggins further testified that he was unsure of whether Ms. Walton used corn starch-based powder or generic powder. (*Id.* at 29:17-30:1).

17. Ms. Walton's sister, Eloise Hawkins, testified that Ms. Walton never used Johnson & Johnson Shower to Shower, and that she only observed Ms. Walton using Johnson & Johnson Baby Powder from the time Ms. Hawkins was 8

or 9 (1959 or 1960) until she was 12 or 13 (1964 or 1965). (Brennan Decl., Ex. 23 at 29:4-5, 76:9-77:9, 109:10-12, 111:11-17, 209:1-210:5).

18. Ms. Hawkins also testified that she was not sure whether the powder Ms. Walton used was corn starch-based, as opposed to talcum-based. (*Id.* at 108:23-109:5).

19. Ms. Walton filed her initial complaint in the District Court for the District of Columbia on April 26, 2018. (Brennan Decl., Ex. 19).

20. There is no evidence that Ms. Walton used any defense talcum powder product perineally as an adult.

Dated: June 18, 2021

Respectfully submitted,

/s/ Susan M. Sharko

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